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FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 6, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Brooke Chick, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 5, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 21, 2015

The Honorable Brad Little
Lieutenant Governor

Dear Lieutenant Governor Little:

This is to advise you that the Idaho Fish and Game Commission, at its meeting in Lewiston on May 15, 2014 appointed Bob Barowsky to serve as its representative to the Idaho Outfitters and Guides Licensing Board (IOGLB), subject to Senate approval. The term of appointment is May 31, 2014 to May 31, 2017.

Bob is from Fruitland and was the Commissioner representing the Southwest Region. He was appointed July 17, 2006 and served two terms on the Commission ending June 30, 2014.

Bob's experience on the Idaho Fish and Game Commission will serve him well in this assignment. I am confident that Bob's service on the Board will promote an excellent relationship and communications among IOGLB, the Idaho Fish and Game Commission and the Department of Fish and Game.

Sincerely,

/s/ Fred Trevey
Chairman, Idaho Fish and Game
Commission

/s/ Virgil Moore
Secretary, Idaho Fish and Game
Commission

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Idaho Outfitters and Guides Licensing Board appointment was referred to the Resources and Environment Committee.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 6, 2015

The JUDICIARY AND RULES Committee reports that [S 1040](#), [S 1041](#), [S 1042](#), [S 1043](#), [S 1044](#), and [S 1045](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1040](#) and [S 1041](#) were referred to the Judiciary and Rules Committee.

[S 1042](#) and [S 1043](#) were referred to the Health and Welfare Committee.

[S 1044](#) and [S 1045](#) were referred to the Local Government and Taxation Committee.

February 5, 2015

The JUDICIARY AND RULES Committee reports that [S 1012](#) has been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled [S 1012](#) and ordered it transmitted to the House for the signature of the Speaker.

February 5, 2015

The TRANSPORTATION Committee reports out [H 16](#) and [S 1028](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 16](#) and [S 1028](#) were filed for second reading.

February 5, 2015

The TRANSPORTATION Committee reports out [H 15](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 15](#) was referred to the Fourteenth Order of Business, General Calendar.

February 6, 2015

The STATE AFFAIRS Committee reports out [S 1024](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[S 1024](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 5, 2015

Dear Mr. President:

I transmit herewith [HCR 2](#), [H 66](#), [H 43](#), and [H 44](#), which have passed the House.

ALEXANDER, Chief Clerk

[HCR 2](#), [H 66](#), [H 43](#), and [H 44](#) were filed for first reading.

February 5, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 40](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 40](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Ruthie Johnson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nonini, seconded by Senator Werk, the Gubernatorial reappointment of Ruthie Johnson as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Sheila Olsen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Stennett, the Gubernatorial reappointment of Sheila Olsen as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Cassandra Jones retained its place on the calendar for Monday, February 9, 2015.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1046

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO ENGINEERS AND LAND SURVEYORS; AMENDING SECTION 54-1203, IDAHO CODE, TO REVISE THE NUMBER OF MEMBERS OF THE BOARD, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1204, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1207, IDAHO CODE, TO REVISE THE NUMBER OF MEMBERS NECESSARY FOR A QUORUM; AMENDING SECTION 54-1216, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RENEWAL OF LICENSES, TO REVISE THE PENALTY FOR FAILURE TO RENEW A LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-1220, IDAHO CODE, TO PROVIDE A PENALTY FOR FAILURE TO COMPLETE CERTAIN PROFESSIONAL REQUIREMENTS AND TO MAKE A TECHNICAL CORRECTION.

S 1047

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO STATE PURCHASING; AMENDING SECTION 67-5716, IDAHO CODE, TO ALPHABETIZE DEFINITIONS.

S 1048

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO HORSE RACING; AMENDING SECTION 54-2512A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO WAGERING ON AN HISTORICAL HORSE RACE; AND DECLARING AN EMERGENCY.

S 1049

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PRIMARY ELECTIONS; AMENDING SECTION 34-102, IDAHO CODE, TO REVISE LANGUAGE RELATING TO PRIMARY ELECTIONS AND TO DEFINE A TERM; AMENDING SECTION 34-106, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD SEPARATELY FROM OTHER PRIMARIES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-204, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 34-601, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS; AMENDING SECTION 34-713, IDAHO

CODE, TO REVISE LANGUAGE RELATING TO PRIMARY BALLOTS; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 34-731 THROUGH 34-738, IDAHO CODE, TO PROVIDE THAT A PRESIDENTIAL PRIMARY SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS, TO PROVIDE THAT THE NAME OF A CANDIDATE SHALL APPEAR ON A PRESIDENTIAL PRIMARY BALLOT ONLY IF THE CANDIDATE FILES A DECLARATION OF CANDIDACY AND PAYS A FEE, TO PROVIDE THAT CANDIDATES MAY BE REMOVED FROM THE PRESIDENTIAL PRIMARY BALLOT IN CASES OF DEATH, INCAPACITY OR WITHDRAWAL, TO PROVIDE THAT ELECTORS AT A PRESIDENTIAL PRIMARY MAY VOTE FROM AMONG THE CANDIDATES OF ONE PARTY ONLY, TO PROVIDE THAT THE SECRETARY OF STATE SHALL CERTIFY PRIMARY RESULTS TO STATE PARTY CHAIRS AND TO PROVIDE THAT THE PRIMARY WINNER SHALL BE DECLARED ACCORDING TO PARTY RULES, TO PROVIDE THAT DELEGATES AND ALTERNATES TO THE NATIONAL CONVENTION SHALL BE SELECTED ACCORDING TO PARTY RULES, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE CONDUCTED LIKE OTHER PRIMARIES WHERE PRACTICABLE AND TO PROVIDE THAT THE STATE SHALL BEAR THE COSTS OF THE PRESIDENTIAL PRIMARY; AMENDING SECTION 34-740, IDAHO CODE, TO REVISE LANGUAGE RELATING TO RULES; AND AMENDING SECTION 34-1205, IDAHO CODE, TO REVISE LANGUAGE RELATING TO THE COUNTY BOARD OF CANVASSERS.

S 1050
BY EDUCATION COMMITTEE
AN ACT

RELATING TO ADVANCED OPPORTUNITIES; REPEALING SECTION 33-1620, IDAHO CODE, RELATING TO THE MASTERY ADVANCEMENT PROGRAM; REPEALING SECTION 33-1621, IDAHO CODE, RELATING TO APPLICATION TO PARTICIPATE IN PROGRAM; REPEALING SECTION 33-1622, IDAHO CODE, RELATING TO PROGRAM ASSESSMENT AND STUDENT ASSESSMENT; REPEALING SECTION 33-1623, IDAHO CODE, RELATING TO STUDENT ADVANCEMENT, DUAL CREDIT, EARLY GRADUATION, MASTERY ADVANCEMENT SCHOLARSHIP AND RESIDUAL SAVINGS; REPEALING SECTION 33-1626, IDAHO CODE, RELATING TO ADVANCED OPPORTUNITIES; REPEALING SECTION 33-1628, IDAHO CODE, RELATING TO THE "8 IN 6 PROGRAM"; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 33, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR ADVANCED OPPORTUNITIES, TO PROVIDE FOR THE "8 IN 6 PROGRAM," TO PROVIDE FOR THE MASTERY ADVANCEMENT PROGRAM AND TO PROVIDE RULEMAKING AUTHORITY; AND AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

[S 1046](#), [S 1047](#), [S 1048](#), [S 1049](#), and [S 1050](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 2](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 66](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 43](#) and [H 44](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 27](#) and [H 28](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [S 1015](#) retained its place on the Third Reading Calendar for Monday, February 9, 2015.

[S 1016](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Hill. Total - 2.

Total - 35.

Whereupon the President declared [S 1016](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1018](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1018](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1019](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 32.

NAYS—Hagedorn, Johnson. Total - 2.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1019](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11 a.m., Monday, February 9, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary